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The *Saeima*¹ has adopted and the President has proclaimed the following Law:

Law On Circulation of Animal Feedingstuffs

Chapter I General Provisions

Section 1.

The following terms are used in this Law:

1) **animal feedingstuffs** – untreated, fresh or preserved products of vegetable or animal origin, a by-product of industrial processing or an organic or inorganic substance, which is utilised for feeding animals, separately or in compound feedingstuffs;

2) **circulation of feedingstuffs** – the production, packaging, storage, importation, exportation, distribution or sale of animal feedingstuffs;

3) **feed material** – an untreated, fresh or preserved product of plant or animal origin, a by-product of industrial processing or an inorganic substance which is utilised for the preparation of compound animal feedingstuffs or as a carrier of premixtures;

4) **compound feedingstuffs** – a mixture of feed materials, additives and premixtures that are provided for the feeding of animals as complete feedingstuffs or complementary feedingstuffs;

5) **additive** – a substance or a preparation of substances which is utilised for the improvement of the qualities of feedingstuffs to provide complete feeding of animals, to increase their productivity, to achieve particular feeding objectives and to prevent or minimise the harmful effect of faeces on the environment;

6) **dietetic feedingstuffs** – complete feedingstuffs or complementary feedingstuffs that satisfy the specific needs of animals for individual feedingstuff materials if animals have temporary or permanent impairments of metabolic processes;

7) **medicated feedingstuffs** – a mixture of veterinary medicinal products and feedingstuffs that are prepared for the feeding of animals and intended for medical treatment or prevention;

8) **premixture** – a mixture of an additive or several additives with a carrier substance that is provided for the production of compound feedingstuffs;

9) **medicated premixture** – a mixture of veterinary medicinal product with a carrier substance that is prepared for the production of medicated feedingstuffs;

¹ The Parliament of the Republic of Latvia

10) **farm animal** – an animal from which food intended for human consumption is obtained;

11) **complementary feedingstuffs** – compound feedingstuffs which consist of individual substances of high concentration and which may be utilised for animal feeding together with other feedingstuffs;

12) **complete feedingstuff** – compound feedingstuffs, the composition of which satisfies the needs of an animal for feedingstuffs and biologically active substances in conformity with its species, age, productivity or physiological state.

Section 2.

The purpose of this Law is to ensure the circulation of qualitative feedingstuffs harmless to human and animal health and life, and the environment.

Chapter II

Requirements of Persons Engaged in the Circulation of Animal Feedingstuffs

Section 3.

(1) A person may engage in the circulation of feedingstuffs if the activity of the person with each type of feedingstuffs at any stage and place of feedingstuffs circulation has been approved or registered with the Food and Veterinary Service.

(2) The Cabinet shall determine the procedures for the recognition and registration of persons engaged in the circulation of feedingstuffs and the requirements of persons engaged in the circulation of feedingstuffs.

(3) The Food and Veterinary Service shall record the approved and registered persons that are engaged in the circulation of feedingstuffs in a list of persons engaged in the circulation of feedingstuffs.

Section 4.

A person engaged in the circulation of feedingstuffs shall be approved if he or she conforms to the specified requirements and produces, packages, distributes, stores, imports and exports:

1) additives containing antibiotics, growth promoters, coccidiostats, carotenoids and xanthophylls, vitamins and provitamins, trace elements, antioxidants, micro-organisms or enzymes;

2) protein obtained from bacteria, yeast (except yeast cultivated on substrates of vegetable and animal origin), algae and lower fungi;

3) co-products of amino acid fermentation, amino acids, amino acid salts and analogues of amino acids;

4) premixtures containing feedingstuff additives of the antibiotic, growth promoters and coccidiostat group; and

5) premixtures containing copper, selenium, vitamins A and D.

Section 5.

A person engaged in the circulation of feedingstuffs shall be approved if the person conforms to the specific requirements and produces or prepares compound feedingstuffs for the feeding of animals of the holding thereof, which consist of:

- 1) premixtures containing antibiotics, growth promoters and coccidiostats; and
- 2) feed materials with increased contamination.

Section 6.

A person engaged in feedingstuffs circulation shall be approved if he or she conforms to the specified requirements and produces, packages, distributes, stores, imports and exports or prepares medicated feedingstuffs for the feeding of animals of the holding thereof:

Section 7.

A person engaged in feedingstuffs circulation shall be registered if he or she conforms to the specified requirements and produces, packages, distributes, stores, imports and exports:

1) additives of the aromatic substances, gelling agents, binding agents, colouring agents, emulsifying substance, stabiliser, preserving agent, anti-caking agent and appetising substances, thickener and coagulating agents groups;

2) premixtures containing antioxidants, carotenoids and xanthophylls, vitamins and provitamins (except vitamins A and D), trace elements (except copper and selenium), micro-organisms or enzymes;

3) compound feedingstuffs consisting of premixtures that contain antioxidants, carotenoids and xanthophylls, vitamins, provitamins, trace elements, micro-organisms or enzymes;

4) compound feedingstuffs consisting of feedingstuff additives containing antioxidants, carotenoids and xanthophylls, vitamins and provitamins (except vitamins A and D), trace elements (except copper and selenium), micro-organisms or enzymes; and

5) compound feedingstuffs not containing additives and premixtures.

Section 8.

A person engaged in circulation of feedingstuffs shall be registered if he or she conforms to the specified requirements and packages, distributes, stores, imports and exports compound feedingstuffs containing:

- 1) premixtures containing antibiotics, growth promoters and coccidiostats; and
- 2) feed materials with increased contamination.

Section 9.

A person engaged in the circulation of feedingstuffs shall be approved if the person conforms to the specified requirements and prepares compound feedingstuffs for the feeding of animals of the holding thereof, which consist of:

- 1) premixtures containing antioxidants, carotenoids and xanthophylls, vitamins and provitamins, trace elements, micro-organisms or enzymes; and
- 2) additives containing antioxidants, vitamins and provitamins (except vitamins A and D), trace elements (except copper and selenium), micro-organisms or enzymes;

Section 10.

- (1) Information provided on the label and advertisements of feedingstuffs may not be misleading or may not attribute such properties to the feedingstuffs, which it does not possess.
- (2) The label shall be clearly visible, readable and indelible.
- (3) The manufacturer or packager and distributor if it has been authorised to change the original packaging or labelling shall be responsible for the label.
- (4) In Latvia it is permitted to distribute feedingstuffs labelled and packaged in accordance with procedures specified by the Cabinet.

Section 11.

- (1) Feedingstuffs shall be distributed in the original packaging of the manufacturer.
- (2) The packaging shall be sealed so that it is not possible to use it on a repeated basis.

Section 12.

It is permitted to distribute unpacked feedingstuffs if:

- 1) one manufacturer sells feedingstuffs to another manufacturer; and
- 2) the manufacturer delivers the feedingstuffs to a packaging undertaking.

Section 13.

It is permitted to distribute unpacked feed blocks, mineralised salt bricks, whole vegetables, grain and co-products of their processing, as well as co-products of oil, starch and sugar industries.

Section 14.

Feedingstuffs shall be distributed in a tank container if:

- 1) the manufacturer delivers it to the direct consumer; and
- 2) supplementary feedingstuffs containing molasses does not consist of more than three components.

Section 15.

- (1) The Cabinet shall determine the additives, proteins obtained from bacteria, yeast (except yeast cultivated on substrates of vegetable or animal origin), algae and lower fungi; the co-products of amino acid fermentation, amino acids, amino acid salts and the analogues of amino acids permitted in Latvia, and the procedures for the registration and circulation thereof.

(2) The additives and premixtures, the proteins obtained from bacteria, yeast (except yeast cultivated on substrates of vegetable or animal origin), algae and lower fungi; the co-products of amino acid fermentation, amino acids, amino acid salts and the analogues of amino acids shall be registered with the Food and Veterinary Service.

Section 16.

The additives containing antibiotics, growth promoters, coccidiostats, copper, selenium, vitamins A and D may be distributed only to an approved person engaged in the circulation of feedingstuffs who produces premixtures.

Section 17.

Premixtures containing antibiotics, growth promoters and coccidiostats may be distributed only to an approved person engaged in the circulation of feedingstuffs who produces compound feedingstuffs.

Section 18.

The Cabinet shall determine the procedures for the circulation of medicated feedingstuffs and dietetic feedingstuffs.

Section 19.

(1) Medicated feedingstuffs shall be produced and distributed only upon the written request of a veterinarian.

(2) Medicated premixtures shall be distributed to an approved person engaged in the circulation of feedingstuffs who produces medicated feedingstuffs or prepares it for the feeding of animals of his or her own holding, or to an approved veterinary drug manufacturing undertaking.

Section 20.

Liability for the harmlessness of medicated feedingstuffs to humans, animals and the environment shall be assumed by:

- 1) the veterinarian who draws up a request for the feedingstuffs;
- 2) the manufacturer of the feedingstuffs;
- 3) the distributor of the feedingstuffs; and
- 4) the person engaged in the circulation of feedingstuff who prepares and utilises medicated feedingstuffs for animals of his or her own holding.

Section 21.

(1) Dietetic feedingstuffs shall be harmless, shall not contain veterinary drugs and it shall ensure the satisfaction of such specific needs of animals for which it has been provided.

(2) It is permitted to distribute dietetic feedingstuffs only in the original packaging of the manufacturer.

Section 22.

- (1) The manufacturer and distributor of feedingstuffs shall ensure the circulation of qualitative and harmless feedingstuffs.
- (2) The Cabinet shall determine substances prohibited in feedingstuffs and feed materials and the harmless requirements of feedingstuffs.
- (3) An undertaking producing feedingstuffs shall ensure the operation of a self-control system – a documented quality control of products produced performed by the feedingstuff producer or a separate unit thereof.
- (4) A person engaged in the circulation of feedingstuff shall establish and maintain a register, which ensures the traceability of feedingstuffs and feed materials.
- (5) A person engaged in the circulation of feedingstuffs shall notify the Food and Veterinary Service, as well as persons engaged in the circulation of such feedingstuffs or feed materials regarding feedingstuffs or feed materials that do not comply with the requirements specified in regulatory enactments, and withdraw the relevant feedingstuffs or feed materials from circulation.

Section 23.

Feedingstuffs shall be considered unfit if:

- 1) it does not comply with harmless requirements or contains prohibited substances;
- 2) the term of validity thereof has expired;
- 3) packaging thereof is damaged;
- 4) it is damaged and this has been determined organoleptically or by examination in a laboratory;
- 5) contents thereof does not conform to the contents and characteristics indicated on the label;
- 6) it does not have the accompanying documents prescribed by regulatory enactments; or
- 7) it does not comply with the requirements prescribed by regulatory enactments.

Section 24.

- (1) Feedingstuffs unfit for distribution shall be processed or destroyed in accordance with the procedures specified in regulatory enactments.
- (2) A producer, packager, keeper, importer, exporter or distributor of feedingstuffs shall cover the expenses related to the control, the withdrawal from circulation, the processing or the destruction of feedingstuffs unfit for distribution.

Chapter III

Procedures for Importation and Exportation of Feedingstuff

Section 25.

Persons engaged in the circulation of feedingstuffs who have been approved or registered with the Food and Veterinary Service may import feedingstuffs into Latvia and export feedingstuffs out of Latvia.

Section 26.

The Minister for Agriculture shall determine the states or parts thereof and undertakings from which it is permitted to import feedingstuffs into Latvia.

Section 27.

The Food and Veterinary Service shall:

- 1) control feedingstuffs consignments at the State border and customs warehouses in accordance with the procedures specified in regulatory enactments; and
- 2) develop methodological instructions regarding the control of animal feedingstuffs upon importation thereof into Latvia.

Section 28.

If feedingstuffs or feed materials do not conform to the requirements specified in regulatory enactments, endanger the health, life of humans and animals, and the environment, the Food and Veterinary Service shall prohibit their importation into Latvia.

Chapter IV

State Supervision and Control of Circulation of Feedingstuffs

Section 29.

- (1) The Food and Veterinary Service shall perform State supervision and control of circulation of feedingstuffs.
- (2) The Food and Veterinary Service shall control the stages of feedingstuff production, feedingstuff packaging, storage, distribution, importation into Latvia and exportation out of Latvia, as well as the marketing and utilisation of feedingstuffs.
- (3) The Food and Veterinary Service shall perform the supervision and control of persons engaged in circulation of feedingstuffs in conformity with a circulation of feedingstuffs supervision programme approved by the Minister for Agriculture, as well as if there is a suspicion of non-compliance of the feedingstuffs with the requirements specified in regulatory enactments.

Section 30.

(1) The Food and Veterinary Service shall ensure the taking of feedingstuff samples and analysis in conformity with the methodology for the taking of feedingstuff samples and analysis approved by the Minister for Agriculture.

(2) The Food and Veterinary Service shall prepare and update a list of such laboratories as are permitted to perform the analysis of feedingstuff samples.

Section 31.

The Food and Veterinary Service shall develop and the Minister for Agriculture shall approve an action plan in case the feedingstuffs may cause a serious threat to human and animal health, life and the environment.

Section 32.

(1) The head of the Food and Veterinary Service shall appoint food and veterinary inspectors (hereinafter – inspector). An inspector has a duty to perform the supervision and control of circulation of feedingstuffs in conformity with the requirements specified in regulatory enactments.

(2) An inspector has the right, without prior notice, to visit a person engaged in circulation of feedingstuffs, to acquire necessary information and to take samples in accordance with the State supervision of circulation of feedingstuffs programme, as well as to perform the referred to activities when there are suspicions or complaints that the person engaged in circulation of feedingstuffs has violated the requirements specified in regulatory enactments.

Section 33.

An inspector shall consider the feedingstuffs unfit if it does not comply with the requirements specified in Section 23 of this Law.

Section 34.

If a violation has been determined, an inspector has the right to impose administrative penalties upon the person at fault in accordance with the procedures specified in regulatory enactments.

Section 35. (1) The Food and Veterinary Service shall notify in writing the person engaged in circulation of feedingstuffs regarding a decision taken on the basis of results obtained in the control.

(2) The decision of the Food and Veterinary Service may be appealed according to the procedures set forth in the regulatory enactments.

Section 36.

It is prohibited for an inspector to:

- 1) disclose commercial secrets that have come to his or her knowledge during the performance of his or her official duties;
 - 2) unjustifiably hinder the activities of the person engaged in circulation of feedingstuffs;
- and
- 3) personally or through a third person participate in the economic activities of the person engaged in circulation of feedingstuffs.

Transitional Provisions

Section 3, Paragraph two of this Law shall come into force on 1 January 2003.

This Law has been adopted by the *Saeima* on 26 September 2002.

President
Rīga, 16 October 2002

V. Vīķe-Freiberga